

Remarks

In response to the Office Action mailed on April 17, 2007, the Applicants respectfully request reconsideration in view of the following remarks. In the present application, independent claims 1, 13, and 19 have been amended and claim 11-12 have been canceled without prejudice or disclaimer. The claims have been amended to clarify that determining the location of the entry node based on the resource identification information from the entry node includes extracting the location of the entry node from the resource identification information without querying a database in communication with the entry node, the database storing location information. Support for this amendment may be found in Figure 1 and on page 9, lines 25-29 in the Specification. No new matter has been added.

Claims 1-7, 9, 11-16 and 18-22 are pending in the application. The claims are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagendran (U.S. 6,731,940) in view of Brody et al. (U.S. 4,670,899, hereinafter “Brody”) and Larsson et al. (U.S. 6,463,307, hereinafter “Larsson”).

Claim Rejections - 35 U.S.C. §103

Claims 1-7, 9, 11-16 and 18-22 are rejected as being unpatentable over Nagendran in view of Brody. Claims 11-12 have been canceled without prejudice or disclaimer thereby rendering the rejection of these claims as moot. The rejection of the remaining claims is respectfully traversed.

Amended independent claim 1 specifies a method for providing entry node location information to a service provider in a wireless telecommunication system. The method includes receiving a radio frequency acknowledgement from a wireless device at

a wireless telecommunications entry node; receiving a subscriber data packet from the wireless device at the wireless telecommunications system entry node; extracting resource identification information from call record data and forwarding said resource identification information to a service provider host; and sending resource identification information for the entry node to a service provider based on the radio frequency acknowledgement; wherein the location of the entry node is determined based on the resource identification information from the entry node, wherein determining the location of the entry node based on the resource identification information from the entry node includes extracting the location of the entry node from the resource identification information without querying a database in communication with the entry node, the database storing location information.

It is respectfully submitted that the combination of Nagendran and Brody fails to teach, disclose, or suggest each of the features specified in amended claim 1. For example, the aforementioned combination fails to disclose wherein determining the location of the entry node based on the resource identification information from the entry node includes extracting the location of the entry node from the resource identification information without querying a database in communication with the entry node, the database storing location information.

Nagendran discusses a method for using the RF signal characteristics, or information derived therefrom, of the receiving wireless device to customize the delivery and or content of information to the receiving wireless device, for one or more wireless devices, including, but not limited to, mobile wireless communication devices. See Nagendran column 2, lines 13-18. Nagendran also discusses

After the signal signature has been determined, it is then compared to a database of calibrated signal signatures and corresponding locations. The database of calibrated signal signatures and corresponding locations can be generated by a calibration procedure in which GPS location data of a calibration mobile unit is associated with the signal signature of the calibration mobile unit received at the base station. By searching such a database, a location which has a calibrated signature associated with it that best matches the measured signature is selected as the most likely location of the mobile device. The entire location finding process takes place within seconds, fractions of seconds or near real-time.

See Nagendran column 5, lines 10-21.

In the Office Action, it is admitted that Nagendran fails to disclose receiving a radio frequency acknowledgement from a wireless device at a wireless telecommunications entry node or extracting resource identification information from call record data. It is respectfully submitted that Nagendran further fails to disclose or suggest that determining the location of the entry node based on the resource identification information from the entry node includes extracting the location of the entry node from the resource identification information without querying a database in communication with the entry node, the database storing location information, as specified in amended claim 1. In particular, as discussed above, Nagendran requires the use of a database storing calibrated signal signatures and corresponding locations to determine a most likely location of a mobile device.

Brody, relied upon in the Office Action for allegedly curing the deficiencies of Nagendran, discusses a method of dynamically redistributing cells by selectively transferring ongoing calls to adjacent cells in accordance with traffic level in order to reserve channels for hand-offs and for new calls. See Brody column 7, lines 4-8. Brody also discusses that, "[e]ach cell of system 10 has associated with it a Table 80 called

LBSTATUS ("Load Balancing Status") and a Table 94 called "Adjacent Cell Table". The LBSTATUS Table 80 of each cell stores information concerning cell mode and cell VCO as well as the DHTHRESH and DRTHRESH values assigned to the cell." See Brody column 13, lines 37-45.

Brody however, in addition to failing to disclose receiving a radio frequency acknowledgement from a wireless device at a wireless telecommunications entry node (as admitted in the Office Action) further fails to disclose or suggest that determining the location of the entry node based on the resource identification information from the entry node includes extracting the location of the entry node from the resource identification information without querying a database in communication with the entry node, the database storing location information, as specified in amended claim 1. As discussed above, Brody is merely concerned with dynamically redistributing cells by selectively transferring ongoing calls to adjacent cells in accordance with traffic level in order to reserve channels for hand-offs and for new calls. Thus, Brody is silent with respect to determining the location of an entry node based on resource identification information.

Larsson, relied upon in the Office Action for allegedly curing the deficiencies of Nagendran and Brody, discusses providing a system to reduce the power consumption of a mobile terminal by keeping a hibernating mobile terminal in a hibernation state until it either hears a paging message from a base station or determines that it has a data packet to send to the base station. The base station specifies how often the hibernating mobile terminal will listen for paging messages. See Larsson, column 3, lines 20-35.

As discussed above, Larsson is merely concerned with the communication of paging messages when a mobile terminal is in a power saving hibernation mode. Thus, Larsson is not concerned with determining the location of an entry node by extracting the location of the entry node from the resource identification information without querying a database in communication with the entry node, the database storing location information, as specified in amended claim 1.

Based on the foregoing, the combination of Nagendran, Brody, and Larsson fails to teach or disclose each and every feature specified in amended claim 1. Therefore, amended claim 1 is allowable and the rejection of this claim should be withdrawn. Claims 2-7 and 9 depend from amended claim 1, and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn. Amended claims 13 and 19 specify similar features as amended claim 1 and thus are allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn. Claims 14-16, 18, and 20-22 depend from amended claims 13 and 19, and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicants' attorney at the number listed below.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(404) 954-5064

Date: October 31, 2007



/Alton Hornsby III/
Alton Hornsby III
Reg. No. 47,299